

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RAKEEM ALLEN IRBY ESTATE,	)	
c/o NINTU XI GILMORE-BEY TRUST,	)	
by and through its authorized	)	
representative, Nintu Xi Gilmore-Bey,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-23-1154-SLP
	)	
KYLYNN COLEMAN, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Suzanne Mitchell [Doc. No. 6]. In the R&R, Judge Mitchell recommends that the Court deny Plaintiff’s Motion to Proceed in Forma Pauperis [Doc. No. 2] because the Court lacks subject matter jurisdiction over this action. *See* [Doc. No. 6] at 1, 3. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought. Upon review, the Court concurs with Judge Mitchell’s analysis, and finds it lacks subject matter jurisdiction over this action for the reasons set forth in the R&R.

Accordingly, the R&R is ADOPTED, and this matter is DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction. A Judgment of Dismissal will be filed contemporaneously herewith.

IT IS SO ORDERED this 23<sup>rd</sup> day of January, 2024.



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**SCOTT L. PALK**  
**UNITED STATES DISTRICT JUDGE**